

ESTTA Tracking number: **ESTTA24417**

Filing date: **01/26/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

<b>Proceeding</b>	91163399
<b>Party</b>	Defendant TUBELITE INC. TUBELITE INC. 4878 Mackinaw Trail Reed City, MI 49677
<b>Correspondence Address</b>	CHARLES E. BURPEE WARNER NORCROSS & JUDD LLP 900 FIFTH THIRD CENTER 111 LYON STREET, N.W. GRAND RAPIDS, MI 49503-2487
<b>Submission</b>	Applicant's Motion for Extension of Time to File Answer to Notice of Opposition
<b>Filer's Name</b>	Jeffrey A. Nelson
<b>Filer's e-mail</b>	trademarks@wnj.com, jnelson@wnj.com
<b>Signature</b>	/Jeffrey A. Nelson/
<b>Date</b>	01/26/2005
<b>Attachments</b>	Tubelite - T-Mag extension of time to answer.pdf ( 2 pages )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MAG INSTRUMENT, INC.,	)	Opposition No. 91163399
	)	
Opposer,	)	Application Serial No.: 78/286,865
	)	Filing Date: August 13, 2003
v.	)	Publication Date: June 1, 2004
	)	Trademark: <b>T-MAG</b>
TUBELITE, INC.,	)	International Class: 40
	)	
Applicant.	)	
	)	
	)	

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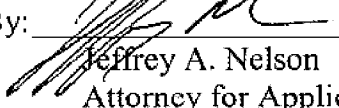
APPLICANT'S MOTION FOR EXTENSION OF TIME  
TO ANSWER NOTICE OF OPPOSITION

Applicant, Tubelite, Inc., respectfully moves the Board to extend the time for it to answer or otherwise plead in response to the Notice of Opposition in the above-captioned proceeding for a period of thirty (30) days, to and including February 22, 2005. As grounds for this motion, the Board is advised that the parties are negotiating a settlement of this proceeding. Additional time is needed to negotiate a settlement.

Counsel for Opposer has consented to the extension and, in view of the above, it is believed that the extension of time is appropriate and should be granted. Such action is requested.

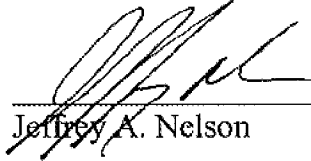
TUBELITE, INC.

Date: January 26, 2005

By:   
Jeffrey A. Nelson  
Attorney for Applicant  
Warner Norcross & Judd LLP  
900 Fifth Third Center  
111 Lyon Street, N.W.  
Grand Rapids, Michigan 49503  
(616) 752-2000

### **CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing Applicant's Motion for Extension of Time to Answer Notice of Opposition was served on Charles A. Kertell, Jones Day, 555 West Fifth Street, Suite 4600, Los Angeles, California 90013, attorney for Opposer, by depositing same in the United States mail, first class, postage prepaid, on January 26, 2005.

  
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Jeffrey A. Nelson